

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Timothy Rumfield v Matthew Henney**

Docket No. **260080**

L.C. No. **02-001290-NI**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

This appeal initiated by a claim of appeal filed on January 6, 2005, is DISMISSED for lack of jurisdiction because a final order had not been entered in the case for the reason that the cross claim filed by Kelly Fuels Inc v Matthew Henney has not been adjudicated and the rights and liabilities of the parties as to that cross claim have not been determined. A dismissal without prejudice is not an adjudication of the rights and liabilities of the parties. See MCR 2.604(A), MCR 7.202(6)(a)(i), and *Wickings v Arctic Enterprises*, 244 Mich App 125 (2000).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 21 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk